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Attorneys for Defendant
CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS

(Additional counsel listed on signature page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, *ex rel.*,
JOHN C. PRATHER, *et al.*

Plaintiff/Relator

vs.

AT&T INC., CELLCO PARTNERSHIP
d/b/a VERIZON COMMUNICATIONS,
QWEST COMMUNICATIONS
INTERNATIONAL, INC., SPRINT
NEXTEL CORP., and TELEPHONE AND
DATA SYSTEMS, INC.,

Defendants.

CASE NO. C 09-02457 CRB

**STIPULATION AND [PROPOSED]
ORDER REGARDING PAGE LIMITS
FOR DEFENDANTS' MOTION TO
DISMISS**

1 WHEREAS, the five Defendants' responsive pleadings to Relator's complaint are due on
2 January 17, 2012 (Dkt. # 51);

3 WHEREAS, under the Federal Rules of Civil Procedure, the Court's Standing Orders and
4 the Local Rules of the Northern District of California, Defendants would be entitled to file five
5 separate motions to dismiss of up to 75 pages collectively, Relator would be entitled to file
6 opposition briefs to those motions of up to 75 pages collectively, and Defendants would be
7 entitled to file 5 separate replies in support of their motions to dismiss of up to 75 pages
8 collectively;

9 WHEREAS, Defendants intend to file a motion to dismiss based on, among other things,
10 Federal Rules of Civil Procedure 9(b) and 12(b)(1) and 31 U.S.C. § 3730(e)(4)(A);

11 WHEREAS, Defendants intend to support their motion to dismiss and file: (1) a
12 memorandum of points and authorities on behalf of all Defendants and (2) a supplemental
13 memorandum of points and authorities on behalf of only certain Defendants (the two memoranda,
14 collectively, as the "Supporting Memoranda");

15 WHEREAS, for the convenience of the Court, the parties have agreed that (1) the
16 Supporting Memoranda in support of Defendants' motion to dismiss shall not exceed 40 pages
17 collectively; (2) Relator may file opposition briefs to Defendants' motion to dismiss and
18 Supporting Memoranda not to exceed 40 pages collectively; and (3) Defendants may file reply
19 briefs in support of their motion to dismiss not to exceed 25 pages collectively;

20 NOW THEREFORE, IT IS HEREBY STIPULATED by the undersigned counsel on
21 behalf of the Parties identified below that:

22 (1) Defendants shall be entitled to file a motion to dismiss supported by Supporting
23 Memoranda, and the Supporting Memoranda shall not exceed 40 pages collectively;

24 (2) Relator shall be entitled to file opposition briefs to Defendants' motion to dismiss
25 and Supporting Memoranda not to exceed 40 pages collectively; and

26 (3) Defendants shall be entitled to file reply briefs in support of their motion to
27 dismiss not to exceed 25 pages collectively.
28

1 DATED: January 12, 2012

BALESTRIERE FARIELLO

3 By: /s/John G. Balestriere

4 John G. Balestriere

Attorneys for Relator John C. Prather

5 DATED: January 12, 2012

MUNGER, TOLLES & OLSON LLP

8 By: /s/Jerome C. Roth

Jerome C. Roth

Attorneys for Defendant

Cellco Partnership d/b/a Verizon Wireless

10 DATED: January 12, 2012

PERKINS COIE LLP

12 By: /s/David F. Taylor

David F. Taylor

Attorneys for Defendants Sprint Nextel
Corporation and Qwest Communications
International Inc.

15 DATED: January 12, 2012

SIDLEY AUSTIN LLP

17 By: /s/Douglas A. Axel

Douglas A. Axel

Attorneys for Defendant AT&T Inc.

19 DATED: January 12, 2012

SIDLEY AUSTIN LLP

21 By: /s/Richard J. O'Brien

Richard J. O'Brien

Attorneys for Defendant Telephone and
Data Systems, Inc.

24 ATTESTATION UNDER GENERAL ORDER 45, SECTION X.B.

25 I have the authorization of all counsel identified herein to submit this Stipulation and
26 [Proposed] Order.

27 /s/ Jerome C. Roth

~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation set forth above, IT IS SO ORDERED.

DATED: January 13, 2012

